UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,489	06/18/2001	Michael Aaron Kaply	AUS920010407US1	4140

7590 10/20/2004	EXAMINER

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EXAMINER
SMITH, PETER J

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/884,489	KAPLY ET AL.
	Examiner	**Art Unit**	
	Peter J Smith	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-46* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *9/10/01*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: application filed 6/18/2001.

2.   Claims 1-46 are pending in the case. Claims 1, 11, 16, 18, 20, 21, 22, 23, 24, 34, 39, 41,

43, 44, 45, and 46 are independent claims.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4.   **Claims 1-6, 9-12, 15, 20-21, 24-29, 32-35, 38, and 43-44 are rejected under 35**

U.S.C. 102(a) as being anticipated by "Surf Smart!",

[http://web.archive.org/web/20001018074520/http://cexx.org/gofaster.htm], published on

the Internet on 10/18/2000, pages 1-4.

        Regarding independent claims 1, 24, and 43, Surf Smart discloses receiving user input

and responsive to receiving the user input, disabling the history recording processes associated

with the browser page 3.

        Regarding dependent claims 2 and 25, Surf Smart discloses wherein the user input is

one of a selection, of a button, a selection of a menu option, or setting of a preference in page 3.

        Regarding dependent claims 3 and 26, Surf Smart discloses wherein the preference is

to disable the history recording processes when the browser is started in page 3.

Regarding dependent claims 4 and 27, Surf Smart discloses wherein the preference is to disable the history recording processes when a selected Web site is visited in page 2. Surf Smart discloses that cookies can be blocked from being recorded for specific Web sites and allowed for other specific Web sites.

Regarding dependent claims 5 and 28, Surf Smart discloses wherein the history recording processes includes at least one of a disk cache process, a history list process, and a cookie storage process in pages 2 and 3.

Regarding dependent claims 6 and 29, Surf Smart discloses disabling history recording processes associated with a browser in page 3. Surf Smart discloses wherein user input may disable history recording for a single session and additional user input may later restore history recording for subsequent sessions in page 3.

Regarding dependent claims 9 and 32, Surf Smart discloses wherein the history recording processes are those for a particular domain in page 2.

Regarding dependent claims 10 and 33, Surf Smart discloses wherein the disabling step includes removing any history information recorded by the browser in pages 2 and 3.

Regarding independent claims 11, 34, and 44, Surf Smart discloses responsive to receiving a particular Web page, displaying an option to prevent recording a history and responsive to a user input selecting the option, disabling processes used to record the history in page 2.

Regarding dependent claims 12 and 35, Surf Smart discloses wherein the history includes at least one of a disk cache, a history list, and a cookie file in pages 2 and 3.

Regarding dependent claims 15 and 38, Surf Smart discloses responsive to a user input

selecting the option, removing any history information associated with the Web page in pages 2

and 3.

Regarding independent claim 20, Surf Smart discloses software that runs on a computer

in pages 1-3 and a computer contains a bus system a communications unit connected to the bus

system, a memory connected to the bus system, and a processing unit connected to the bus

system. Surf Smart discloses receiving user input and responsive to receiving the user input,

disabling the history recording processes associated with the browser page 3.

Regarding independent claim 21, Surf Smart discloses software that runs on a computer

in pages 1-3 and a computer contains a bus system a communications unit connected to the bus

system, a memory connected to the bus system, and a processing unit connected to the bus

system. Surf Smart discloses responsive to receiving a particular Web page, displaying an option

to prevent recording a history and responsive to a user input selecting the option, disabling

processes used to record the history in page 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 13-14 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over "Surf Smart!",

[http://web.archive.org/web/20001018074520/http://cexx.org/gofaster.htm], published on

the Internet on 10/18/2000, pages 1-4.

Regarding dependent claims 13-14 and 36-37, Surf Smart teaches in pages 1-2 that

JavaScripts embedded in web pages may alter the form and function of the Web browser. It

would have been obvious to one of ordinary skill in the art at the time the invention was made to

have modified a Surf Smart to have used a JavaScript embedded in a Web page to have

selectively prevented history information from being recorded for the Web page so that the

user's privacy is respected by the Web site.

6.   **Claims 7-8 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over "Surf Smart!",

[http://web.archive.org/web/20001018074520/http://cexx.org/gofaster.htm], published on

the Internet on 10/18/2000, pages 1-4 as applied to claims 1 and 24 above, and further in

view of "HistoryKill",

[http://web.archive.org/web/20000304120647/http://www.historykill.com/], published on

the Internet on 3/4/2000, pages 1-2.

Regarding dependent claims 7 and 30, Surf Smart does not teach wherein the user

input is the entry of a selected user identification. HistoryKill does teach wherein user input

disabling recording processes associated with a browser is the entry of selected user

identification in page 1. It would have been obvious to one of ordinary skill in the art at the time

the invention was made to have modified Surf Smart with the teaching of HistoryKill to have

created the claimed invention. It would have been obvious and desirable to have used the user

identification of HistoryKill to have personalized the disabling of history recording processes for each user of Surf Smart.

Regarding dependent claims 8 and 31, Surf Smart does not teach wherein the selected user identification is a temporary user identification. HistoryKill teaches wherein user input disabling recording processes associated with a browser is the entry of selected user identification in page 1. Guest logins at the time of the invention were temporary user identifications and used in controlled-access computer systems to prevent a temporary guest user from altering the personal data of a permanent user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined HistoryKill into Surf Smart to have created the claimed invention. It would have been obvious and desirable to have used a temporary user identification to have disabled the history recording processes so that the temporary user did not alter the history data of the permanent user of the computer system.

7.   **Claims 16-19, 22-23, 39-42, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over "HistoryKill",
[http://web.archive.org/web/20000304120647/http://www.historykill.com/], published on the Internet on 3/4/2000, pages 1-2.**

Regarding independent claims 16, 39, and 45, HistoryKill teaches responsive to a selected event, discarding history information for a session on pages 1-2. HistoryKill teaches accepting user input to indicate whether history information should be discarded for the session or not in pages 1-2. HistoryKill does not teach receiving user input selecting a session from the identification of sessions and discarding history information for the session.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified HistoryKill to have accepted user input to identify a session in

response to a selected event so that the user could have sometimes discarded history information

and other times retained history information. HistoryKill teaches in page 1 that user input can

discard selective history information and retain other history information, thus teaching that a

user may not always wish to discard history information. Therefore, the preference of user to not

always remove history information, or not remove all history information would have motivated

this modification.

Regarding dependent claims 17 and 40, HistoryKill teaches an Auto-Configure of

browser preferences in page 2. The auto-configure can discard history information when the

browser is terminated.

Regarding independent claims 18, 41, and 46, HistoryKill teaches responsive to a

selected event, discarding history information for a session on pages 1-2. HistoryKill teaches

accepting user input to display an identification of domains in which history information is

collected in pages 1-2. A cookie manager displays a list of domains and their related cookie

history information. A user can selectively remove the history information for each domain.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified HistoryKill to have created the claimed invention. It would have

been obvious and desirable to have used the selective domain identification contained in the Web

browser configuration to have improved the discarding of history information in response to a

selective event as taught by HistoryKill so that user could have only removed history information

for selected Web sites as is the purpose of selective cookie deleting in the cookie manager of a

Web browser. HistoryKill teaches in page 2 that the Auto-Clearing and Auto-Configure features

enable a user to avoid manually clearing history information after each session. The

combination of teachings would have allowed certain domains of history information to be

retained automatically while removing only specific history information.

Regarding dependent claims 19 and 42, HistoryKill teaches an Auto-Configure of

browser preferences in page 2. The auto-configure can discard history information when the

browser is terminated.

Regarding independent claim 22, HistoryKill teaches a software package which runs on

a computer in pages 1-2. The computer must comprise a bus system, a communications unit

connected to the bus system, and a memory connected to the bus system, wherein the memory

includes a set of instructions. HistoryKill teaches responsive to a selected event, discarding

history information for a session on pages 1-2. HistoryKill teaches accepting user input to

indicate whether history information should be discarded for the session or not in pages 1-2.

HistoryKill does not teach receiving user input selecting a session from the identification of

sessions and discarding history information for the session.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified HistoryKill to have accepted user input to identify a session in

response to a selected event so that the user could have sometimes discarded history information

and other times retained history information. HistoryKill teaches in page 1 that user input can

discard selective history information and retain other history information, thus teaching that a

user may not always wish to discard history information. Therefore, the preference of user to not

always remove history information, or not remove all history information would have motivated this modification.

Regarding independent claim 23, HistoryKill teaches a software package which runs on a computer in pages 1-2. The computer must comprise a bus system, a communications unit connected to the bus system, and a memory connected to the bus system, wherein the memory includes a set of instructions. HistoryKill teaches responsive to a selected event, discarding history information for a session on pages 1-2. HistoryKill teaches accepting user input to display an identification of domains in which history information is collected in pages 1-2. A cookie manager displays a list of domains and their related cookie history information. A user can selectively remove the history information for each domain.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified HistoryKill to have created the claimed invention. It would have been obvious and desirable to have used the selective domain identification contained in the Web browser configuration to have improved the discarding of history information in response to a selective event as taught by HistoryKill so that user could have only removed history information for selected Web sites as is the purpose of selective cookie deleting in the cookie manager of a Web browser. HistoryKill teaches in page 2 that the Auto-Clearing and Auto-Configure features enable a user to avoid manually clearing history information after each session. The combination of teachings would have allowed certain domains of history information to be retained automatically while removing only specific history information.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Maddalozzo, Jr. et al., US 6,012,093 patented 1/4/2000 discloses modification of

network link histories. Douglis, US 6,249,795 B1 filed 11/5/1997 discloses personalizing the

display of changes to records in an on-line repository. Boothby, US 6,532,480 B1 continuation

of application filed 11/13/1996 discloses synchronization of databases with record sanitizing and

intelligent comparison. Janis et al., US 5,155,850 filed 2/23/1990 discloses maintaining a time

frame selective document history log. Rekimoto, US 6,738,973 B1 filed 8/9/2000 discloses an

access-history indicating method. Berstis, US 6,243,091 B1 filed 11/21/1997 discloses a global

history view. "Xblock", [http://web.archive.org/web/20001017225621/http://xblock.com/],

published on the Internet on 10/17/2000, page 1 discloses privacy software which disables

history recording processes on the user's computer.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peter J Smith whose telephone number is 703-305-5931 (571-

272-4101 after 10/20/2004). The examiner can normally be reached on Mondays-Fridays

7:00am-3:30pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H Feild can be reached on 703-305-9792 (571-272-4090 after 10/20/2004).

The fax phone number for the organization where this application or proceeding is assigned is

703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS
September 27, 2004
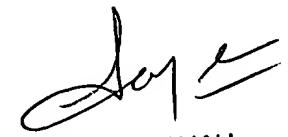
SANJIV SHAH
PRIMARY EXAMINER